
FINDING AND RECOMMENDATION(S)

Submitted by: Conservation Community

Finding: *(i.e., Conclusions reached after investigation and/or evaluation of facts)*

Under the existing process, there has been some confusion and inconsistencies between instructions for meeting Best Management Practices (BMPs) and Defensible Space specifications.

Background and Supporting Evidence: *(A short statement justifying the Finding and describing desired outcome(s); usually no more than half a page.)*

Under the current process, a homeowner contacts TRPA or a Resource Conservation District to obtain a BMP site assessment, where they are instructed on how to meet BMPs and what options they have to achieve them. Separately, a homeowner contacts their local fire district (or in the Fallen Leaf Fire District, TRPA) to obtain a Defensible Space inspection. Because both programs affect how a homeowner landscapes around their home, it obviously creates confusion and frustration if the instructions/recommendations from these two inspections differ in any way.

An example of the inconsistent message to homeowners regarding Defensible Space and BMP implementation is the list of appropriate and acceptable ground cover for the first 30 feet around a home. Prior to the Angora Fire ground cover options such as pine needles, wood chips, etc., were deemed to be non-hazardous with respect to fire as long as all defensible space requirements were met (because appropriate defensible space has been shown to prevent a fire occurring in the needle or chip layer from advancing into the trees) and the layers were no closer to a home than 5 feet. Because BMP practices also included non-flammable landscaping for the first 5 feet around a home, there were no conflicts on this aspect of these programs. However, since the Angora Fire there has been a great deal of discussion on whether 5 feet from a home is adequate. Currently, fire personnel are advocating for no ground cover for the first 30 feet from a home (or all "green" cover such as a well kept lawn), whereas water quality regulators are concerned that the cumulative impacts of that amount of bare soil in the Basin will be significant and detrimental to Lake Tahoe's clarity, a concern which generally appears to be substantiated by the TMDL model. Further, because the law requires Lahontan RWQCB to meet certain loading limits for Lake Tahoe, if one sediment source is allowed to increase (consider the

extreme erosion and sediment loading that would occur from a 30' radius of bare soil on more than 50,000 lots in the Basin), another sediment source must be reduced. In discussions to date, the only 'alternative' workable solution to mitigate 30' of bare soil on each lot is to require those homeowners with bare soil to install very expensive additional "treatment facilities" on the edges of their lots, thus increasing the cost to homeowners in the Basin choosing this option. Naturally, there is a need to instead find solutions other than allowing 30' of bare soil and present simple, coherent and practical solutions for Defensible Space/BMP implementation that resolves inconsistencies.

A Defensible Space/BMP working group (DS/BMP WG) has been assembled and has held a meeting to discuss the multiple ground cover/landscaping options indicated in the Landscaping Guide for the Basin (a product associated with the BMP program). Although the Group identified the pros and cons of various options, the group did not discuss ways to improve the coordination of these two programs (nor did the group reconvene to establish agreement on the information associated with each ground cover option). There is a need to insure that the instructions for BMPs and Defensible Space are consistent and understandable to Basin homeowners.

Recommendation(s) *(Based upon an analysis of the Finding, the following recommendation(s) should be made to the Governors):*

1. **There be a single "800" phone number that homeowners can dial to schedule inspections and obtain information for both defensible space and BMPs.**
2. **Inspections be coordinated between the fire personnel and resource conservation district personnel so that they will visit a property TOGETHER to instruct a homeowner on the site-specific options they have to meet both programs' requirements.**
3. **Enforcement of both programs is insufficient Basin-wide; additional staff is needed to support a combined enforcement program.**
4. **The annual training proposed by TRPA for defensible space assessors/inspectors (adopted at the January 2008 Governing Board meeting) include, as part of the training, a thorough review of the BMP program (and conversely, that BMP inspectors undergo training on defensible space). Each group need not become "experts" on the other subject, but should have an understanding of the basic concepts of the other program.**

- 5. The Defensible Space/BMP Working Group meet again and continue to work towards agreeable information regarding ground cover options and assess better ways to coordinate these two programs.**

Impacts of Implementation: *(The implementation of any Recommendation is likely to have specific impacts. Consider potential consequences related to each of the following areas):*

Analysis of impacts on the following factors is REQUIRED (Best Estimate):

☐ Cost

Recommendation 1: Costs will include the 800 phone number service, associated equipment and staff to answer calls in addition to recommendations #2 & 3: (staff time)

☐ Funding source

A funding source is needed.

☐ Staffing

Recommendations 2 and 3 would require shifts in staff time and likely additional staff (for both defensible space and BMP programs).

☐ Existing regulations and/or laws - No regulatory change would be needed to implement regulations.

Analysis of impacts on the following factors is OPTIONAL:

☐ Operational

☐ Social

These recommendations would resolve many of the concerns raised by Basin homeowners regarding defensible space and BMPs and confusion about both programs. Also, as inspectors from fire agencies and resource conservation districts, instead of regulatory agencies (e.g. TRPA), they will likely be better received, thus increasing participation in the programs.

☐ Political

☐ Policy

☐ Health and Safety

☐ Environmental

☐ Interagency